

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK GIBSON,
Petitioner

CIVIL ACTION

v.

MARK BROTHERS,
Respondent.

NO. 22-0953

ORDER

AND NOW, this 22nd day of December, 2023, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 (ECF No. 1), the response thereto (ECF No. 5), and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (ECF No. 15) and the objections thereto (ECF No. 16), **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The petition for writ of habeas corpus is **DISMISSED**.
3. There is no basis for the issuance of a certificate of appealability.
4. The Clerk of Court is directed to **TERMINATE** this matter and mark it **CLOSED**.

BY THE COURT:

/s/ Wendy Beetlestone

WENDY BEETLESTONE, J.